

**THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

<b>TIPPMANN CONSTRUCTION, INC.,</b>	§	
<b>by and through its assignee and subrogee</b>	§	
<b>SELECTIVE INSURANCE</b>	§	
<b>COMPANY OF SOUTH CAROLINA</b>	§	
§		
<b>Plaintiff,</b>	§	
§		
<b>vs.</b>	§	
§		
<b>PROFESSIONAL SERVICE</b>	§	
<b>INDUSTRIES, INC.</b>	§	
§		
<b>Defendant.</b>	§	
§		

**CIVIL ACTION NO.  
4:11-CV-591-Y**

**ORDER DENYING DEFENDANT PROFESSIONAL SERVICE INDUSTRIES, INC.’S  
SECOND AMENDED MOTION FOR PARTIAL SUMMARY JUDGMENT**

On this date, the Court considered the Response filed by Plaintiff Tippmann Construction, Inc., by and through its assignee and subrogee Selective Insurance Company of South Carolina (“Plaintiff”), to Defendant Professional Service Industries’ (“Defendant”) Second Amended Motion for Partial Summary Judgment.

With respect to the evidentiary objections included in Plaintiff’s Response, the Court finds that Plaintiff’s objections are sustained, and the evidence that is the subject of Plaintiff’s objections will not be considered with Defendant’s Second Amended Motion for Partial Summary Judgment.

All premises considered, the Court is of the opinion that Defendant’s Second Amended Motion for Partial Summary Judgment should be DENIED in its entirety. IT IS THEREFORE

**ORDER DENYING DEFENDANT’S  
SECOND AMENDED MOTION FOR PARTIAL SUMMARY JUDGMENT – Page 1**

ORDERED that Defendant's Professional Services Industries, Inc.'s Second Amended Motion for Partial Summary Judgment filed July 10, 2012 is DENIED in its entirety.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 2012

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TERRY R. MEANS  
UNITED STATES DISTRICT JUDGE

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